

EXHIBIT 1

U.S. SERIAL NO. 09/934,773

DECLARATION UNDER 37 C.F.R. §1.132



Dkt. 30435.54USD3/SBA/SH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reiter et al.

Serial No.: 09/934,773

Examiner: L. Helms

Filed: August 21, 2001

Group Art Unit: 1642

For: **PSCA: PROSTATE STEM CELL ANTIGEN AND USES THEREOF**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

RECEIVED

SEP 26 2003

TECH CENTER 1600/2900

**DECLARATION BY ROBERT E. REITER
AND OWEN WITTE UNDER 37 C.F.R. §1.132**

We, Robert E. Reiter and Owen Witte, hereby declare that:

1. We, Robert E. Reiter and Owen Witte, are employed by The Regents of the University of California, the assignee of record of the subject application.
2. I, Robert Reiter, began my period of employment with UCLA in 1995 and presently hold the title of Assistant Professor in the Department of Urology. Additionally, I am a Co-Director of the Prostate Cancer Program at the Jonsson Comprehensive Cancer Center. I was employed by UCLA at the time of the invention.
3. I, Owen Witte, began my period of employment at UCLA in 1980 and presently hold the title of Professor in the Department of Microbiology, Immunology, and Molecular Genetics at UCLA. In addition, in 1986, I began a joint position as

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U.S. Serial No. 09/934,773
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Best Available Copy

Investigator of the Howard Hughes Medical Institute (HHMI) at UCLA. I was employed by the HHMI at UCLA at the time of the invention.

4. We declare that we are the inventors of the claimed invention, i.e., monoclonal antibodies that bind PSCA or portions of PSCA, including, but limited to, monoclonal antibodies designated 1G8, 2A2, 2H9, 3C5, 3E6, 3G3 or 4A10 and antibodies which recognize the same epitopes as the seven (7) designees listed hereinabove.
5. We have read the Reiter et al. reference (Reiter et al., WO98/40403, published 9/1998) cited by the Examiner. We understand that the Reiter et al. reference was published less than a year before one of the subject application's priority dates (i.e., December 1998).
6. We are co-authors of the Reiter et al. reference and co-inventors of the above-cited U.S. patent application.
7. The Reiter et al. reference describes our own work.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

Reiter et al.
U.S. Serial No. 09/934,773
Filed: August 21, 2001
Page 3

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

9/15/03
DATE

Robert E. Reiter
Robert E. Reiter

DATE

Owen Witte

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DATE

Robert E. Reiter

8-19-03

DATE



Owen Witte